

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE U.S. DEPARTMENT OF AGRICULTURE

AND

THE U. S. SMALL BUSINESS ADMINISTRATION

The U. S. Department of Agriculture (USDA) and the U. S. Small Business Administration (SBA) (the parties) share an interest in increasing the participation of women-owned small businesses in Federal procurement. In this Memorandum of Understanding (MOU), we outline our strategies for increasing the participation of women-owned small businesses in USDA's procurement programs.

USDA and SBA support the Federal Acquisition Streamlining Act of 1994 (P.L. 103-355)(FASA) which established the Government-wide goal for participation by small business concerns owned and controlled by women at not less than 5 percent of the total value of all prime contract and subcontract awards for each fiscal year.

USDA and SBA agree to work together to use and support this MOU to support the requirements of FASA.

BACKGROUND

On October 13, 1994, President Clinton signed FASA into law. This landmark legislation amended the Small Business Act and established the Government-wide goal for participation by small business concerns owned and controlled by women at not less than 5 percent of the total value of all prime contract and subcontract awards for each fiscal year.

FASA stated that women-owned small businesses are to participate in Federal procurement opportunities, and that women-owned small businesses should receive part of the approximately \$200 billion in annual Federal procurements. FASA created a Government-wide responsibility to meet the 5 percent procurement goal for women, based on the total value of all Federal prime and subcontract awards in each fiscal year. FASA also challenged large Government prime contractors to form plans to increase subcontracting opportunities to women-owned small businesses.

The Small Business Act requires SBA and each Federal agency to set annual prime and subcontracting goals for small businesses, small businesses owned by socially and economically disadvantaged individuals, women-owned small businesses, and qualified HUBZone small businesses. (15 U.S.C. Section 644 (g)(1)).

PURPOSE

This MOU describes the responsibilities of both USDA and SBA in their attempts to maximize the participation of women-owned small businesses as contractors to USDA and as subcontractors under USDA contracts.

USDA and SBA agree to cooperate in this MOU in order to maximize the use of resources and to provide greater program recognition for results achieved. The goal of this cooperation is increased participation of women-owned small businesses in prime and subcontracting programs at USDA.

RESPONSIBILITIES

USDA's Responsibilities in Support of the MOU:

1. The Small Business Coordinator for each contracting activity shall serve as a Women's Business Advocate. These advocates will serve as direct liaisons to the women-owned business community and will aggressively encourage each agency procurement office and program office to consider women-owned small businesses for all procurement opportunities. They will work to raise the visibility of women-owned businesses in day-to-day procurement activities and will closely monitor their agency's or mission area's achievement of the 5 percent goal.
2. USDA's Office of Small and Disadvantaged Business Utilization (OSDBU) will continue to conduct its awards program designed to recognize the individual(s) and buying activity which is most successful in promoting and awarding women-owned small business contracts and subcontracts. SBA will be invited to participate.
3. Each fiscal year, the Secretary of Agriculture will issue a policy statement emphasizing his commitment to achieving the 5 percent goal for women-owned small businesses and the importance of women entrepreneurs to our Nation's economy and equal economic opportunity. USDA will support this policy statement with initiatives outlined in our procurement outreach plans to achieve our goals.
4. OSDBU will use one of its monthly Vendor Outreach Sessions to target women-owned small businesses as a "women-owned business enterprise day". USDA procurement and program offices will discuss procurement opportunities with women-owned small businesses at the Vendor Outreach Session.
5. USDA will use SBA's PRO-Net database and its own databases to match women-owned small businesses with USDA procurement opportunities. USDA has waived, based on certain circumstances, the Federal Acquisition (FAR) requirement for synopsisizing the acquisition of services between \$25,000 and the Simplified Acquisition Threshold (SAT). As required by the FAR, USDA consulted with the Office of Federal Procurement Policy and the SBA prior to issuance of the waiver. In lieu of the synopsis in the Commerce

SBA's Responsibilities in Support of the MOU:

1. SBA will report to the President and to the Cabinet about the progress of Federal agencies in fostering women's business enterprise in the Federal marketplace and in meeting the 5 percent goal required by FASA. In the report, SBA will include the status of efforts under the MOU and USDA's progress toward the women-owned small business goal.
2. SBA will offer formal Government and press recognition of this MOU. SBA will coordinate and distribute information announcing USDA's strategic steps to implement the MOU. In addition, SBA will be invited to participate in USDA's awards program to recognize the USDA individual(s) and agency that most successfully promotes and awards women-owned small business contracts and subcontracts.
3. SBA will link its Internet web site to USDA's OSDBU web site.
4. SBA will aggressively promote the importance of updating profiles with detailed information to PRO-Net registrants to ensure quality searches.
5. SBA will help USDA use PRO-Net to identify women-owned small businesses with products and services that fill USDA's procurement needs.
6. SBA will schedule and facilitate annual performance reviews of this MOU with USDA at the end of each year. These reviews will assess the progress of SBA and USDA in completing their MOU responsibilities.
7. SBA will support outreach programs held by USDA for women-owned small businesses, as requested, subject to the availability of funds. Such programs for women-owned small businesses will respond to the needs of the women-owned businesses, and will, among other things, provide assistance and advice to women-owned small businesses on marketing strategies and on doing business with the Federal Government.
8. SBA will be a primary resource for USDA in continuing discussions on how to achieve women-owned small business goals. The Program Manager for the Women-Owned Small Business Procurement Program will be the primary point of contact from the SBA.
9. SBA, through its Office of Women's Business Ownership, will establish and maintain a list of women's business associations and organizations for USDA's use, upon request, in disseminating procurement information.

Business Daily, USDA has agreed to several conditions, one of which is that SBA's PRO-Net will be used to identify a minimum of five small businesses, which will include, if available, at least one woman-owned firm.

6. USDA/OSDBU will monitor the implementation of USDA Departmental Regulation 5090-4 on the Rule of One Policy under Simplified Acquisition Procedures. This rule, initiated by OSDBU, requires contracting officers to ensure that women-owned and small disadvantaged businesses are given the maximum opportunity to participate in all simplified acquisitions by soliciting a least one woman-owned firm and one small disadvantaged business for every acquisition that falls under the SAT, but which exceeds the micro purchase threshold. Contracting Officers will document the appropriate contract file when a woman-owned and/or small disadvantaged small business could not be solicited for participation in the acquisition process.
7. As part of their civil rights assessments, the OSDBU Director will monitor the progress of heads of USDA agencies and mission areas on meeting the woman-owned business goals, along with the small and small disadvantaged business goals.
8. USDA will work closely with the SBA's Women's Business Centers throughout the country to provide information on USDA programs for women-owned small businesses.
9. USDA will request SBA's participation in USDA/OSDBU sponsored-conferences and other outreach activities, as appropriate.
10. USDA will actively highlight information on procurement opportunities for women-owned small businesses on the USDA/OSDBU web site.
11. USDA will support the efforts of the Interagency Committee on Women's Business Enterprise and the National Women's Business Council in developing and prompting new initiatives, policies, programs, and plans designed to foster women's business enterprise.
12. USDA will work with SBA to develop procurement subcontracting practices to give greater subcontracting opportunities to women-owned small businesses.
13. USDA/OSDBU will work with the Business Women's Network (BWN) for the purpose of sharing information and providing technical assistance to women-owned business groups. Each entity has committed to Internet linkages and USDA will have a key role at the BWN's national women's conference. Information about many USDA procurement and program opportunities will be disseminated to the BWN membership and USDA technical staff will assist with targeted BWN outreach programs.

TERM

This MOU is in effect for 2 years from the date of execution, and may be renewed by written agreement of SBA and USDA. This MOU may be amended by mutual written consent of the parties.

TERMINATION

This MOU may be terminated by either party on 30 days written notice to the other party.

RESPONSIBLE OFFICIALS

The officials responsible for this MOU are:

SBA: Barry S. Meltz
Acting Associate Administrator for Government Contracting
(202) 205-6460

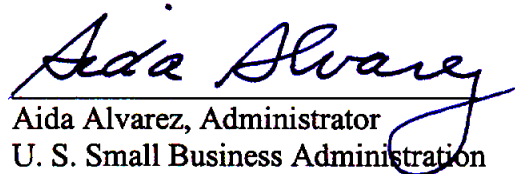
USDA: Sharron L. Harris
Director, Office of Small and Disadvantaged Business Utilization
(202) 720-7117

SIGNATURES

The parties signing below accept the terms of this MOU:



Daniel R. Glickman, Secretary
U.S. Department of Agriculture



Aida Alvarez, Administrator
U. S. Small Business Administration

MAR 22 2000

Date

FEB 29 2000

Date